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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,053	04/24/2001	Kyosuke Yoshimoto	1163-0337P	3691
2292	7590	07/22/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LIN, WEN TAI	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/840,053	YOSHIMOTO ET AL.
	Examiner Wen-Tai Lin	Art Unit 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 24 April 2001.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 April 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

1. Claims 1-12 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Hoffer[U.S. Pat. No. 5799151].

4. As to claim 1, Hoffer teaches the invention as claimed including:  
an information collecting system [col.16, line 66 – col.18, line 18] comprising:  
at least one terminal including an information input device [1.1, Fig.1], an information display unit and a communication circuit [Fig.1; col.2, lines 31-46]; and  
an information processing center that is connected to said terminal via a network [1.3, Fig.1], and includes an application server [1.2, Fig.1; col.2, line 64 – col.3, line 6;  
i.e., PA is an application server], said application server including:

- a receiving section for receiving input information transmitted from said terminal to said information processing center via the network [1.13, Fig.1];
- an information processing section for making a decision as to the information received [1.14, Fig.1], and for constructing a picture to be displayed on the terminal in response to a decision result [col.2, lines 47-63]; and
- a transmitting section for transmitting the picture generated by said information processing section to said terminal [col.2, line 64 – col.3, line 6].

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 5 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffer [U.S. Pat. No. 5799151], as applied to claim 1 above.

7. As to claim 2, Hoffer does not specifically teach that said information processing center further comprises a database server, a file server and a WWW server, and wherein said information processing section in said application server carries out information processing by exchanging information with these servers. However, since the database server, file server and WWW server are only concurrent processes, it would have been obvious to one of ordinary skill in the art that Hoffer's needs to interact with all these processes because Hoffer's PA is able to perform database access, file transfer and internet request handling capabilities [col.4, line 25 – col.5, line 4; col.30, lines 43-51].

8. As to claim 5, Hoffer further teaches that said information processing section of said application server comprises a client application memory for storing in advance necessary information including identifying information of a user; and a client display screen constructor for constructing a client display picture from the necessary information read out of said client application memory and information supplied from other servers [note that, in order for Hoffer's host to distinguish among the different terminals/users and communicate with each of them, a pre-stored client information and a screen constructor must exist otherwise there would be no way of authenticating them].

9. As to claim 8, Hoffer further teaches that said terminal is connected to a LAN (Local Area Network), and said LAN is connected to said network [col.4, lines 49-64;

note that an Internet is a wide-area network incorporating various types of network including LAN].

10. As to claims 9-10, Hoffer teaches that the BBS can be installed in most LAN environment [col.4, lines 49-52], which obviously may include any number of service related servers including database servers, file servers and web servers and exchange information among them.

Hoffer is silent about performing processing associated with predetermined requested information in the local server (and transmits a processing result to said terminal), whereas said local server transmits remaining requested information to said information processing center via said network without processing the remaining requested information.

However, under the notion of internet browsing, it is well known that an information provisioning system may be structured into multi-tiers so that some information may be obtained from the first tier, while some other information is obtained from the second or the third tiers, depending on how securely the information is guarded.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Hoffer's system/method could also be extended to a multi-tier environment because it only takes the first-tier server to perform the function of terminal emulation or direct customer communication in Hoffer's system, and by allowing such extension, it would allow Hoffer's clients to access many more information sources.

11. As to claim 11, Hoffer teaches that said application server in said local server comprises at least one of a word processing application [col.3, lines 23-34].

Hoffer does not specifically teach that local server includes a spreadsheet application. However, spreadsheet application such as MS Excel is well known and widely installed in a computer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include spreadsheet application as part of Hoffer's system developing tools because it's part of an editing tool that may facilitate construction of table information.

12. Claims 3-4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffer [U.S. Pat. No. 5799151], as applied to claims 1-2, 5 and 8-11 above, further in view of Official Notice.

13. As to claims 3-4, Hoffer does not specifically teach that said terminal comprises a circuit for detecting power-on of the terminal, and for automatically activating said communication circuit to transmit power-on information to said information processing center.

However, Official Notice is taken that the feature of automatic activation of communication between a remote computer and a local terminal is well known in the art. For example, in a legacy system, wherein a plurality of conventional terminals are

connected to a mainframe computer (e.g., via a local area network), communication between the mainframe and a terminal is initiated (such as prompting for login or some initial screen image) as soon as a terminal is powered on.

Since Hoffer teaches that the terminals used in the system can be as simple as the conventional terminals [col.2, lines 41-46] and may connect to a remote host using telnet protocol [col.4, lines 55-61], which is also a popular communication protocol in a legacy host-terminal system, it is obvious to one of ordinary skill in the art to have applied the same power-on activation technique in Hoffer's terminals because by doing so Hoffer's system/method can be extended to users of the conventional, simplistic terminals.

14. As to claim 12, since the features of this claim can also be found in claims 1-3, it is rejected for the same reasons set forth in the rejection of claims 1-3 above.

15. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffer [U.S. Pat. No. 5799151], as applied to claims 1-5 and 8-12 above, further in view of Housel et al.(hereafter "Housel") [U.S. Pat. No. 5909569].

16. As to claims 6-7, Hoffer does not specifically teach using a differential detector for detecting a difference between a terminal's existing screen and the next screen to be sent, so that only difference between the two screens need to be sent to the terminal.

However, in the same field of endeavor, Housel teaches using a protocol interceptor that is provided on both the host side and a terminal emulator application side and applying a differenced communication protocol for reducing a subsequent screen by only transmitting the difference between the two adjacent screens.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Housel's differencing technique in Hoffer's system because Hoffer's telnet protocol is a slow-speed communication protocol, therefore the reduction of data volume in communication would further assure the objective of real-time interactive communications for Hoffer's system users [Abstract: lines 1-3].

**17.** The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Bowman-Amuah [U.S. Pat. No. 6332163];

Housel et al. [U.S. Pat. No. 6453343];

**18.** A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (703)305-4875. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and

(703)746-5516 for status inquires draft communication.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Wen-Tai Lin

July 18, 2004

Wen-Tai L  
7/17/04